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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,182	07/13/2000	J. Peter Hansen	MSFT115463	3713
26389	7590	03/24/2004	EXAMINER	
CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347			WOO, ISAAC M	
			ART UNIT	PAPER NUMBER
			2172	13

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/615,182

Applicant(s)

HANSEN ET AL.

Examiner

Isaac M Woo

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 24-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 24-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Applicant's amendments, filed on January 22, 2004 have been considered but they are not persuasive.
2. The applicant amended claims 1 and 24. The pending claims are 1-15 and 24-31.

Response to Arguments

3. In response to Applicant's remark filed on January 22, 2004, applicant argues that Salkewicz does not disclose or suggest the database stored on a server and client computer. However, Salkewicz discloses the fig. 1 and fig.5 for database stored on computer and provides services among server computers. And the definition of server computer is to provide service to other computers. The fig. 5 shows any computer could be the server that provide synchronization service (source database, fig. 6) and client computer (destination database, fig. 6, col. 7, lines 1-11) that receives service. Thus, Salkewicz discloses the database stored on a server and client computer. Applicant argues that Salkewicz does not disclose or suggest, downloading the server computer database to the client computer, if the client computer database last server access time indicates a time that is earlier than a time indicated by the creation time of the server computer database, selectively downloading data objects stored in the server computer

database to the client computer database, if the client computer database last server access time indicates a time that is not earlier than a time indicated by the creation time of the server computer database. These limitations are database synchronization based on access time to server database. Salkewicz discloses, "Initial database "synchronization" must be performed when a new server is added to a network or a server is initialized after a server failure or a loss of connection with the network. In these situations, the synchronization process may require copying entire database from an existing server to the new un-initialized server", see (col. 1, lines 46-52). The new server (client rolls) must have the other server access time that should be later than the other server database creation time. And getting downloads whole database. Salkewicz discloses, "Rather than containing entire database records, the segments contain only "instance identification" information, information indicating the last modification processed for the record. For example, a sequence stamp may indicate the date and time of the last modification. The instance identification information provides a mechanism for determining which database has the current or up-to-date version of a database record, without requiring full copying of the entire record. If the records in each database contain the same instance identification information, then the record is already synchronized. Therefore, the record need not be transmitted to the destination database because the destination database already has a current copy of the record. However, if the instance identification information does not match, then the servers determine which record is more up-to-date. The entire up-to-date database record is eventually transmitted from the up-to-date database to the out-of-date database in the manner

used independently for updating database records, see (fig. 9A-C, col. 10, lines 1-55). This teaches, each records has database accessing time stamps and download only up-to-date version (selectively download based on time stamp). Thus, Salkewicz discloses, downloading the server computer database to the client computer, if the client computer database last server access time indicates a time that is earlier than a time indicated by the creation time of the server computer database, selectively downloading data objects stored in the server computer database to the client computer database, if the client computer database last server access time indicates a time that is not earlier than a time indicated by the creation time of the server computer database. Applicant argues that Salkewicz does not disclose or suggest, deleting the server computer database if the server computer contains a database and if the received command dictates that the server computer database be deleted; and copying a client computer database to the server computer, if the received command dictates that the client computer database be copied to the server computer. In the database management system, "delete" and "copy" are basic operational commands and Salkewicz discloses, using delete and copy processing in the system, see (col. 9, lines 12-42, synchronization, col. 2, lines 33-55, col. 3, lines 52-67 to col. 4, lines 1-49). Thus, Salkewicz discloses, deleting the server computer database if the server computer contains a database and if the received command dictates that the server computer database be deleted; and copying a client computer database to the server computer, if the received command dictates that the client computer database be copied to the server computer.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-15 and 24-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salkewicz et al (U.S. Patent No. 5,970,502, hereinafter, "Salkewicz").

With respect to claims 1, 8 and 27, Salkewicz discloses the method for dynamically synchronizing (col. 2, lines 33-56) a duplicated database stored on a server (source database, FIG.1, FIG. 5) and a client computer (destination database, FIG.1, FIG.5, col. 6, lines 19-31), wherein the client computer database comprises a last server access time and a plurality of data objects and the server computer database comprises a creation time and a plurality of data objects, see (col. 23-48); downloading the server computer database to the client computer, if the client computer database last server access time indicates a time that is earlier than a time indicated by the creation time of the server computer database, see (col. 1, lines 46-65, col. 7, lines 55-65, col. 7, lines 1-10, new server database creation time is obviously later than last access time (synchronization time)); selectively downloading data objects stored in the server computer database to the client computer database, if the client computer

database last server access time indicates a time that is not earlier than a time indicated by the creation time of the server computer database, see (col. 10, lines 23-54, up-to-date database records transmitted means that there were synchronization (access) before, thus, only updated (selectively) database records are downloaded); deleting the server computer database if the server computer contains a database and if the received command dictates that the server computer database be deleted, see (col. 9, lines 12-42); copying (synchronization) a client computer database to the server computer, if the received command dictates that the client computer database be copied to the server computer, see (col. 2, lines 33-55, col. 3, lines 52-67 to col. 4, lines 1-49). Salkewicz does not explicitly disclose the step of "receiving a user-generated command for determining a database configuration". However, Salkewicz discloses the database modification request received, see (col. 3, lines 63-67 to col. 4, lines 1-19, col. 3, lines 13-15), which teaches that receiving a user-generated command for database configuration (modification request). Therefore, it would have been obvious a person having ordinary skill in the art the time invention was made to include "receiving a command for determining a database configuration" in the system of Salkewicz to have system to configure database for modification. Because the database management has basic commands, such as (delete, update, copy, etc), which provides database management manipulation for such as sql.

With respect to claims 2, 9 and 28, Salkewicz discloses the updating the last server access time stored in the client computer database, wherein the updated last

server access time corresponds to a clock time maintained by the server computer, see (col. 10, lines 23-54).

With respect to claims 3, 10 and 29, Salkewicz discloses the transmitting, from the client computer to the server computer, the last server access time stored on the client computer database, see (col. 10, lines 23-54).

Claims 4 and 11, are rejected on grounds corresponding to the reasons given above claimed in claim 1.

With respect to claims 5 and 12-13, Salkewicz discloses the determining if the client computer database last server access time is within a predetermined period of time ninety days from a clock time maintained by the server computer; and downloading the server computer database to the client computer, if the client computer database last server access time is not within a predetermined period of time from a clock time maintained by the server computer, see (col. 1, lines 46-65, col. 7, lines 55-65, col. 7, lines 1-10, col. 10, lines 23-54).

With respect claims 6 and 7, Salkewicz discloses the limitation of computer-readable medium containing computer-readable instructions which, when executed by a computer, perform the method of any one of Claims 1-5 for claim 6 and the limitation of computer-controlled apparatus for performing the method of any one of

Claims 1-5 for claim 7 above claimed in 1-5. Thus, claims 6 and 7 are rejected for the reason set forth above claimed in claims 1-5.

With respect claims 14 and 15, Salkewicz discloses the limitation of computer-readable medium containing computer-readable instructions which, when executed by a computer, perform the method of any one of Claims 8-13 for claim 14 and the limitation of computer-controlled apparatus for performing the method of any one of Claims 8-13 for claim 15 above claimed in 8-13. Thus, claims 14 and 15 are rejected for the reason set forth above claimed in claims 8-13.

With respect to claims 24-26, Salkewicz discloses the method for initializing a database system having one client computer and a server computer, determining if the server computer contains a database, see (FIG. 1, FIG. 5, col. 3, lines 51-67 to col. 4, lines 1-49), deleting the server computer database if the server computer contains a database and if the received command dictates that the server computer database be deleted; and copying a client computer database to the server computer, if the received command dictates that the client computer database be copied to the server computer, see (col. 9, lines 12-42, synchronization, col. 2, lines 33-55, col. 3, lines 52-67 to col. 4, lines 1-49). Salkewicz does not explicitly disclose the step of "receiving a user-generated command for determining a database configuration". However, Salkewicz discloses the database modification request received, see (col. 3, lines 63-67 to col. 4, lines 1-19, col. 3, lines 13-15), which teaches that receiving a command for database

configuration (modification request). Therefore, it would have been obvious a person having ordinary skill in the art the time invention was made to include "receiving a user-generated command for determining a database configuration" in the system of Salkewicz to have system to configure database for modification. Because the database management has basic commands, such as (delete, update, copy, etc), which provides database management manipulation for such as sql.

Claims 30-31 (computer-readable medium claim and computer apparatus claim, respectively) are rejected for the reasons set forth above in claimed in claim 27-29.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW
March 19, 2004


SHAHID ALAM
PRIMARY EXAMINER